

Remarks

The Examiner is thanked for his time during several telephone conferences with Applicants representatives to discuss this Application's status and the status of the Information Disclosure Statement. The Examiner is also thanked for his time during a teleconference on December 20, 2004, with Applicants' representative, Jason D. Eisenberg, during which the Examiner intimated the added features found above and argued below may make the claims allowable over the applied references pending an updated research.

Reconsideration of this Application is respectfully requested.

Claims 1, 4, 9, 10, 12, 13, 15, 17-28 are sought to be amended. Claims 29-31 are sought to be added. Claims 1-31 are pending in the application, with 1, 4, 12, 13, 15, 17, 18, and 21 being the independent claims. No new matter has been entered by the amendments.

Based on the above amendments and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Objection to the Abstract

The Examiner objected to the wording in the abstract. The allegedly objectionable wording has been deleted from the abstract in order to expedite prosecution. Therefore, the Applicants respectfully request that the Examiner reconsider and withdraw the objection.

Objection to the Figures

The Examiner objected to Figure 1 for not having a "Prior Art" label and Figure 5 for missing element number 502. Attached hereto are two sets of Figures 1 and 5, a first set marked Annotated Marked Up Drawings and a second set marked Replacement Sheets, which both show appropriate changes to these Figures. The Replacement Sheets have also been submitted in a Letter to the Draftsman, filed concurrently herewith.

Therefore, Applicants respectfully request that the Examiner reconsider and withdraw these objections.

Objection to the Specification

The Examiner objected to the specification in the instant office action referring to page 33, paragraph [0128], however in Applicants' copy of the instant specification this was at page 31, paragraph [0121], where two elements apparently had a wrong element number in the specification. Applicants have amended the specification as shown above. Therefore, Applicants respectfully request that the Examiner reconsider and withdraw the objection.

Objection to the Claims

The Examiner objected to claims 12 and 16 as containing informalities. Applicants have amended these claims to correct for the typographical errors noted by the Examiner without changing the scope of the claims. Therefore, Applicants respectfully request that the Examiner reconsider and withdraw the objections.

Rejections under 35 U.S.C. § 112, second paragraph

The Examiner rejected claims 10, 22, and 27 under 35 U.S.C. 112, second paragraph as being indefinite for lacking antecedent basis for certain terms because of an incorrect dependency. Applicants have amended the dependency of these claims, and thus Applicants respectfully request that the Examiner reconsider and withdraw the rejections.

Rejections under 35 U.S.C. § 103(a)

Claims 1, 3, 12, 15, 17-18, and 20 were rejected under 35 U.S.C. § 103(a) ("103") as being unpatentable over U.S. Patent No. 6,621,532 to Mandt ("Mandt") in view of U.S. Patent No. 5,737,557 to Sullivan ("Sullivan"). Claims 2, 16, and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Mandt in view of Sullivan in further view of U.S. Patent No. 6,549,219 to Selker ("Selker"). Claims 4-11, 13-14, and 21-28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Mandt in view of Sullivan and further in view of U.S. Patent No. 5,828,376 to Solimene et al. ("Solimene et al."). Applicants respectfully traverse these rejections and request that the Examiner reconsider and withdraw the rejections.

Only One Level Visible

Claims 1, 4, 12, 13, 15, 17, 18, and 21 all recite at least a user definable interface having a plurality of levels wherein the UDI is capable of having only one of the levels appear at a given time. Applicants respectfully submit that these claims are patentable over the cited art for at least these features.

Mandt teaches a conventional tool bar for a windows applications that has only a single level.

Sullivan teaches a conventional interface that becomes larger at each level: a first level is a dot 10, a second level is a collar 28 having four quadrants, a third level is a pop-up screen 32 that grows out of one of the quadrants. Also, Sullivan teaches all the levels are seen at a given time.

Selker teaches a conventional interface that becomes larger at each level and/or shows all the levels at a single time, with several configurations for each level, for example: a first level 10 and a larger second level 20 (see col. 3, lines 33-35).

Solimene appears to be used in the combination to teach permitting customization of menus, specifically in this reference customization of conventional pop-up menus.

None of the applied patents taken alone or in combination teach or suggest at least a user definable interface having a plurality of levels wherein the UDI is capable of

having only one of the levels appear at a given time, as recited in Claims 1, 4, 12, 13, 15, 17, 18, and 21.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejections. Also, at least based on their dependencies, claims 2-3, 5-11, 14, 16, 19, and 22-31 should also be found allowable over the applied patents.

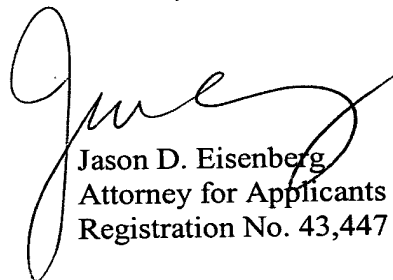
Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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Annotated Sheet
 Sheet 2 of 2
 Appl. No. 09/986,765; Filed: Nov 9, 2001
 Dkt No. 2042.0020002; Group Unit: 2173
 Inventors: Leavitt et al.
 Tel. No.: 202-371-2600
 For: User Definable Interface System, Method and
 Computer Program Product

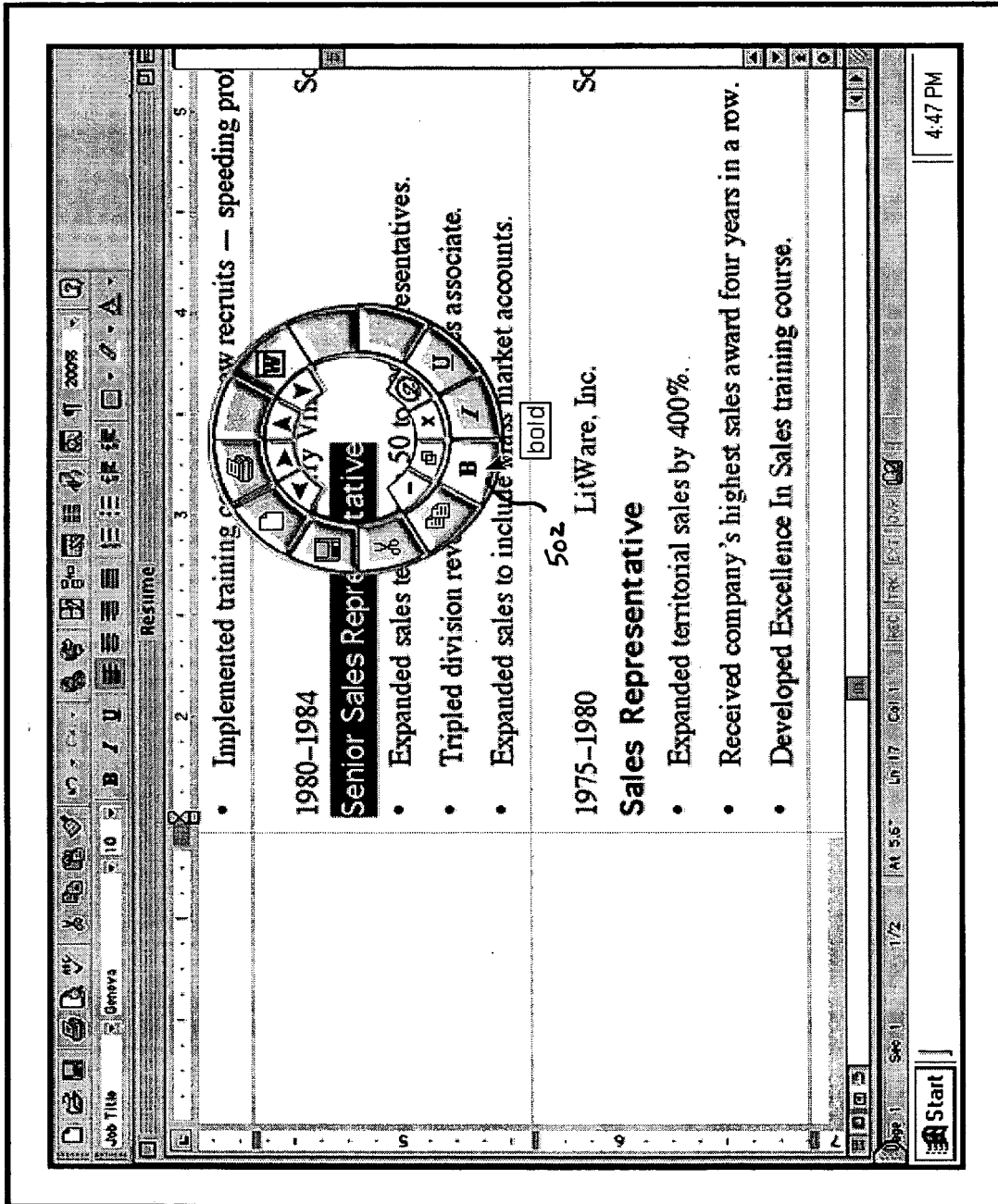


FIG. 5